

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS,
MADELINE KRASNO, and RYAN
HARTKOPF,

Appellants,

v.

LAWRENCE A. TABAK, in his
official capacity as Acting Director of
the National Institutes of Health, and
XAVIER BECERRA, in his official
capacity as Secretary of the U.S.
Department of Health and Human
Services,

Appellees.

Case No. 23-5110

APPELLANTS' STATEMENT OF ISSUES

Pursuant to this Court's order dated May 16, 2023, Appellants present the following issue on appeal:

Whether the district court erred in ruling that the National Institutes of Health (“NIH”) does not violate the First Amendment when it uses keyword blocking to prevent comments critical of the NIH’s involvement in animal testing from appearing publicly on the NIH’s Facebook page and Instagram account.

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Respectfully submitted,

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